

1-1 By: Capriglione, Springer H.B. No. 2735  
 1-2 (Senate Sponsor - Hancock)  
 1-3 (In the Senate - Received from the House April 20, 2015;  
 1-4 May 4, 2015, read first time and referred to Committee on Business  
 1-5 and Commerce; May 15, 2015, reported favorably by the following  
 1-6 vote: Yeas 7, Nays 0; May 15, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9			X	
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED  
 1-19 AN ACT

1-20 relating to the sale of alcoholic beverages in certain areas  
 1-21 annexed by a municipality.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 251.72, Alcoholic Beverage Code, is  
 1-24 amended to read as follows:

1-25 Sec. 251.72. CHANGE OF STATUS. Except as provided in  
 1-26 Sections 251.725, 251.73, and 251.80, an authorized voting unit  
 1-27 that has exercised or may exercise the right of local option retains  
 1-28 the status adopted, whether absolute prohibition or legalization of  
 1-29 the sale of alcoholic beverages of one or more of the various types  
 1-30 and alcoholic contents on which an issue may be submitted under the  
 1-31 terms of Section 501.035, Election Code, until that status is  
 1-32 changed by a subsequent local option election in the same  
 1-33 authorized voting unit.

1-34 SECTION 2. Subchapter D, Chapter 251, Alcoholic Beverage  
 1-35 Code, is amended by adding Section 251.725 to read as follows:

1-36 Sec. 251.725. CHANGE OF STATUS FOR CERTAIN TERRITORY  
 1-37 ANNEXED BY MUNICIPALITY. (a) This section applies only to a  
 1-38 municipality whose local option status allows for the legal sale of  
 1-39 beer and wine for off-premise consumption only as a result of a  
 1-40 local option election on the applicable ballot issue held on or  
 1-41 after January 1, 1985.

1-42 (b) The governing body of a municipality described by  
 1-43 Subsection (a) may adopt an ordinance authorizing the sale of beer  
 1-44 and wine for off-premise consumption in an area annexed by the  
 1-45 municipality after that election if at the time the ordinance is  
 1-46 adopted:

1-47 (1) the annexed area is not more than one percent of  
 1-48 the total area covered by the municipality;

1-49 (2) all of the land in the annexed area is zoned for  
 1-50 commercial use only; and

1-51 (3) the annexed area is not adjacent to residential,  
 1-52 church, or school property.

1-53 SECTION 3. The change in law made by this Act applies to an  
 1-54 area annexed or acquired by a municipality before, on, or after the  
 1-55 effective date of this Act.

1-56 SECTION 4. This Act takes effect immediately if it receives  
 1-57 a vote of two-thirds of all the members elected to each house, as  
 1-58 provided by Section 39, Article III, Texas Constitution. If this  
 1-59 Act does not receive the vote necessary for immediate effect, this  
 1-60 Act takes effect September 1, 2015.

1-61 \* \* \* \* \*